

THE RIO NEWS.

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EDITORIAL AND PUBLICATION OFFICES:—
79, Rua Sete de Setembro.

RIO DE JANEIRO, AUGUST 23rd, 1892.

THE question of colonization and immigration has always been one of paramount interest in Brazil and it represents more failures, perhaps, and a greater expenditure of money than any other measure of public concern. And yet, in spite of all these failures and of the ruinous waste of money, the legislations of to-day are still working in the same grooves, wasting the revenues of the country and achieving nothing but disgraceful failures. It would be a public service if some Brazilian would write the true history of the introduction of colonists and immigrants into this country, giving the real costs and describing the results. It is not only the waste of money which would compel our attention, but the pitifully small results achieved, the failures and the injustice done. Were such a record published, we doubt whether there is a public man in Brazil who would have the hardihood to advocate the system of assisted immigration one moment longer. The recent failure, or partial failure, of Italian immigration, as shown by the emigration of Italians from São Paulo, should arouse the government to the consideration of one incontestable fact—the absolute and miserable failure of assisted immigration. Why is it not possible, then, to try some other plan? What is the use of spending money on men who can not be depended upon as laborers, and who begin to leave within a very few months after their arrival? In our opinion, the old system of landholding, which the government has long been trying to protect, is both a failure and an obstruction, and no system of introducing laborers for it will ever result in success. The system was built upon slavery, and it can be maintained only by servile labor methods. Slavery is no longer thought of, and coolie or Chinese labor would be one of the worst recourses that can be adopted. The alternative then is that so successfully followed in the United States and in most of the English colonies—the system of small holdings and voluntary, paid labor. If the government will adopt a simple and effective system of surveying, conveying and settling its public lands, giving small tracts free to actual settlers if necessary, the difficulty will very soon adjust itself. A land tax should be imposed at once, in order to break up the large uncultivated holdings of the old proprietors, and these should be promptly divided and settled with small farmers. The small holdings, in turn, will very soon furnish all the day labor the large estates can require, just as they do in the United States. The system is simple, it requires no appropriations, it will attract the best class of laborers, it will provide for the multitudes of Brazilian laborers now overlooked, and it will at once yield good results, both for the people and for the government.

MARSHAL DEODORO.

The long anticipated death of Marshal Manoel Deodoro da Fonseca, ex-President of the republic, occurred at his residence in Rua Senador Vergueiro to-day at 12:20 p. m. General Deodoro, as he is familiarly called, has filled so important a role in the events of the past three years, during which the political institutions of Brazil have been profoundly changed, that his death can not fail to excite widespread interest and sympathy. A plain, indifferently-educated soldier, he was led, after over forty years of service under the monarchy, into a political movement with which he had never been personally connected and for which he apparently felt very little sympathy. There can be no doubt that the revolution of 1889 was as much a surprise to General Deodoro as to D. Pedro II, but in the history of his country he will figure as one of the founders of the republic, as its provisional chief and as its first President. He was a man of arbitrary temper, contentious, and strongly attached to the traditions and privileges of his class. For many years had been the recognized leader of the discontented elements of the army, and this led to his selection as the leader of the revolutionary movement against the Otto Preto cabinet. The true history of his part in that revolution will probably never be written, nor will the true relations of this officer, who was called upon to fill a most difficult and leading part, ever be established. He was a man of simple tastes, honest and straightforward in his personal conduct, and patriotic in every impulse. His mistakes were those of a hot-tempered man who had undertaken a difficult and half understood task for which he had no training. His last mistake, that of reassuming dictatorial power in November 1891, resulted in his complete overthrow and compelled his retirement from public life. He was born in Algodas on August 5th, 1827, and entered the army on February 25th, 1845. At his own request he will be buried without military honors.

SÃO PAULO RAILWAY COMPANY LTD. PROTEST.

THE FEDERAL COURT.

Doctor Antonio Luiz dos Santos Werneck, Federal Judge of this district of São Paulo, etc.
Be it known to those in whom the present notice may come, that on the part of William Speers, superintendent of the Santos to Jundiahy railway, has been made before me a petition of the following tenor:—"Most illustrious Sectional Judge, William Speers, superintendent of the Santos to Jundiahy railway, says that the São Paulo Railway Company Limited being in the enjoyment of the contract of 26th April, 1856, to which refers Decree No. 1,759 of the same date, with the respective privilege, has in vain protested before the federal government against the concessions asked by the Sorocabana Company and by the Mogyana Company and others, that they may run in the same direction in search of the port of Santos. If other companies have not yet obtained the same privilege, more fortunate will be the success of those two companies. Relative to the Sorocabana Company, besides the protest made by the petitioner, in the quality of officially recognized superintendent, a reclamation has been made directly to the federal government by the directors in London, up to this day ignored, without examination and without solution; but at the same time, the federal government considering itself sole arbitrator of the contract, maintains its concession to the Sorocabana Company for prolonging its railway from the station of São João to Santos, both in approving the surveys presented for that prolongation and in expelling decrees for the disappropriation of lands in the city of Santos for the station and other dependencies of that railway, in connection with the referred station of São João and the intermediate stations; and, lastly, the inauguration of that station has been held in the city of Santos, with festivities. Relative to the Mogyana Company, after having been rejected in the same pretension by the federal government, it resolved to appeal to Congress; and this, taking cognizance of the petition, has declared that the government can make the concession solicited; and, in fact, a decree in favor of this company has just been published. While the directors do not employ the measures for the protection of their rights and interests, as may appear to them best, the petitioner is obliged to enter a protest in Brazil before the federal courts, it having been seen that their protests sent to the minister of agriculture, commerce and public works, through the agency of the fiscal engineer, have been in vain; it appearing that the federal government always seeks to proceed and decide in these conflicts of rights and interests with the São Paulo Railway Company, Limited, as a public power, overlooking its character of a contracting party and co-obligation in the clauses of the above cited contract of 26th April,

1856. If the company could have had suspicion that its contract and privilege would be prejudicial and, in some manner annulled by identical concessions to other companies, of the same direction, in search of the port of Santos, it would have made itself, at the beginning of its operations, a more positive guarantee than the second clause of its contract, although so clear and express in its spirit and in its terms. If the subscribers of the contract could have foreseen that the second clause, contrary to its letter and to its spirit, in the purpose of diminishing the revenue of the railway, and in the account of the approaching termination of the privilege, would be interpreted as such, and at the same time not have taken their proper precautions, they would not have risked their capital upon such hazards; and without doubt, the railway would not have been constructed at that time, nor would the province of São Paulo have acquired the agricultural and commercial prosperity which to-day gives it power and superiority among the other states. The contract of 26th April, 1856, was based on law No. 838 of 12th September, 1855; and, in this law, a railway between the city of Santos and São João do Rio Claro was provided for. The concession for a railway to the village of Jundiahy having been given to the "Companhia de Minas Alirio e Companhia José de Almeida Barreto, (Cidade de Minas de São Vicente) and to Manoel de Araújo, not deceased, these companies had the intention of a company in London based upon the contract referred to by Decree No. 1,759 of 26th April, 1856.

In this contract preference was guaranteed to the company for the prolongation of the road to São João do Rio Claro; and this proves that the railway from Santos to Jundiahy would not have competition in the transport of the population in that region beyond Jundiahy to the port of Santos. It is thus the contract has always been understood; so that, the company not desiring to make use of the preference guaranteed in clause 43, seeing that long and other railways, an accord for mutual traffic, which will exist, in the advantage of all and of the public, was made with these same companies after their roads had been constructed.

Lately, production and importation having been respectively increased, there has been produced what has been called a *crise de transporte* (crisis of transport); and, certainly, it is not the Santos to Jundiahy railway which has been least able to meet the demands of agriculture and commerce; the largest quantity of rolling stock, and is constantly increasing it. But, it being particularly the Sorocabana and Mogyana companies which do not possess rolling stock sufficient for the necessities of their zone, as the government itself has admitted, and has just been demonstrated, relative to the Mogyana road, through there being claimed by Companies more than six hundred wagons of the English company and of the Paulista company, through not having means for the transfer, it is precisely these companies, which have not improved their rolling stock, nor the permanent way of their roads, have been the more favored by the prolongation of their lines to the city of Santos, to the manifest infraction of the contract of 26th April, 1856.

In view of this exhibit, the undersigned, desiring to preserve the rights and interests of the company, and the directors in London can seek relief in another manner, as it may consider more practical and more useful in the defense of those rights and interests, petitions your lordship to take cognizance of this protest, in order that the *prosecução* of the republic in this state may be closed, and in order that a notice (*notitia*) may be valid to the end that any persons or companies who wish to make agreements with the Sorocabana and Mogyana companies as to the concessions of prolongation to the port of Santos, can not allege ignorance of this protest;—being that this protest includes, in regard to the federal government, the recognition which the company is reserving for losses and damages should there be withdrawal from it of those prolongations the products for exportation and the articles of importation which now constitute the traffic of the districts traversed by the Sorocabana (now including the Itanã) and Mogyana railways. And granting this, in the terms of Arts. 233 and 234 of Decree No. 848 of 11th October, 1890, you will return the documents to him after the dispatch, and your petitioner will ever pray.—W. Speers, superintendent of the São Paulo Railway Company. With five revenue stamps of 100 hundred reis each, duly cancelled. Nothing further in said petition, on which I have given the following dispatch: "granted" (*concedi*). São Paulo, eighth of August, one thousand eight hundred and ninety-two. Santos Werneck." In virtue of which a record of protest has been dispatched of the following tenor: "Record of protest. On this eighth day of the month of August one thousand eight hundred and ninety-two, in this capital, appeared in my office (Cartório) William Speers, superintendent of the Santos to Jundiahy railway, and said before the two undersigned witnesses that, the federal government having failed to annul the concession granted to the Sorocabana company for prolonging its railway to the city of Santos, and having made a like concession to the Mogyana company, he had come to protest against the same infraction of the second condition of the contract of 26th April, 1856, to the end that those concessions shall be annulled, and further, he protests against losses and damages, requiring this protest to be published officially in order that third parties, interested in the same, may not plead ignorance of the reclamation which the São Paulo Railway Company, Limited, has made and now makes again, against the above indicated concessions, all in the terms of his foregoing petition which forms a part of this. And thus having declared to me before witnesses, he has signed this record with them. And I, Marcelino Joaquim de Sant' Anna, clerk, have written it. W. Speers, *Paulista* *Diretor de Ferro*.—*Edmundo G. Barreto*. And in order that it shall reach the knowledge of all, I have ordered the present notice dispatched, that it may be published by the press. São Paulo, 12th August, 1892. I, Marcelino Joaquim de Sant' Anna, clerk, have written it. Santos Werneck."

I, Charles John Kimball, of the City of Rio de Janeiro, Public Translator and Commercial Interpreter, duly admitted and sworn, do hereby certify that the foregoing is a true translation of a Protest of William Speers, superintendent of the São Paulo Railway Company, Limited, dated 8th August, 1892, before Dr. Antonio Luiz dos Santos Werneck, federal judge of the district of São Paulo, and written in the Portuguese language.

In witness whereof I have hereunto set my hand and seal of office in Rio de Janeiro the 23rd day of August, one thousand eight hundred and ninety-two.

C. J. KIMBALL.

Sworn Public Translator and Commercial Interpreter.

SÃO PAULO RAILWAY.

To the Editor of THE RIO NEWS.

SIR,—In the observations published in your issue of the 9th inst., with regard to the negotiations lately attempted between the government and the São Paulo railway, for the purpose of fixing the terms for increasing the traffic facilities of the line, a statement affecting the company is made which, perhaps needs correction, inasmuch as from it, it may seem to those unacquainted with the facts that the company desired to obtain in their negotiations some new and undue advantage.

You say: "Both parties wanted to settle the dispute by the insertion of a special clause in the new contract."

This is a mistake as far as it relates to the company.

The company asked for no modifications of its present contract except in two conditions, viz.: (a) that the period for the expropriation of the line by the government should be extended; and (b) that the capital expended *above* the necessary improvements should be amortized.

The special clause to which you refer was sought to be inserted in the new contract by the government; the objection to admit the alteration was exactly what I thought about the failure of the negotiations. The company desired to maintain the conditions of its existing concession; the government desired to introduce modifications by the above-named special clause which the directors in consideration felt assured would prevent the necessary new capital being raised.

The guarantee against competition, to which you also refer, is contained in clause 11 of the company's privilege which runs as follows:

"During the period of the concession (30 years) the government cannot without the consent of the company grant to other parties the privilege of making any railroad running in the same direction, within a distance of five leagues of eighteen to the degree (nearly twenty miles) on either side of the projected line. This restriction, however, will not apply to railroads which, although commencing from the same point shall run in different directions, even if such railroads accidentally approach or intersect the privileged line; provided always, that within the privileged zone they shall not either receive or discharge passengers or goods, receiving fares or freights therefrom."

The government wishes to give an interpretation to this clause altogether at variance with the given to it by the shareholders during the past thirty-five years, hence the inability to come to an agreement.

The government, notwithstanding the unmistakable clearness of the above clause, has recently granted concessions to the Sorocabana and Mogyana railways for lines to Santos. Against these violations of its privilege the company has protested in the form:

"Those who know the present state of feeling in Europe will decide whether capital can be obtained for enterprises on this continent where the remuneration is doubtful, or competition is likely to be a factor in the calculations."

I am, Sir,
Yours truly,
WILLIAM SPEERS,
Superintendent.

São Paulo, August 13th, 1892.

RIO CRICKET CLUB.

"H. M. SPADRON" vs. "RIO C. C."

Played August 15th.

"H. M. SPADRON."

1st Innings.		2nd Innings.	
Santos, D. b. Whitley.	1	b. Youle.	7
Stewart, L. c. Watkinson.	1		
b. Lopes.	1	c. Whitley, b. F. L.	3
		Youle.	3
Penfold, M. b. Whitley.	21	b. Richards.	8
Short, M. b. Lopes.	0	c. F. L. Youle, b. Richards.	7
Andrews, L. c. Jackson.	1		
b. Whitley.	1	c. Lopes, b. Richards.	2
Wheat, C. b. Whitley.	1	run out.	2
Brace, L. b. Whitley.	0	b. Richards.	1
Prosser, L. b. Whitley.	2	run out.	8
Smith, Mr. b. Lopes.	0	b. run out.	5
Hallbert, L. b. Lopes.	8	b. Richards.	5
Long, M. b. Whitley.	6	b. Watkinson, b. Richards.	0
Extras.	6	Katons.	4
Total.	41	Total.	31

"RIO C. C."

1st Innings.		2nd Innings.	
Whitley, H. L. c. Hallbert.	28	b. Penfold.	28
Lopes, A. M. L. b. w. b.	17	Penfold.	17
Watkinson.	17	b. E. C. H. H. H.	17
b. Short.	28		
Wells, P. A. b. Short.	0		
Wells, M. b. Short.	0		
Jackson, M. b. Short.	0		
Moroney, T. b. Penfold.	0		
Youle, P. S. b. Short.	7		
Richards, A. L. b. w. b.	7		
Short.	0		
Ex. G. H. H. b. Short.	0		
Youle, F. L. run out.	1		
Extras.	9		
Total.	125		

—The representative of the Mogiana railway is of the opinion that this city takes issue with our considering the prolongation of that line to Santos as impracticable. He claims that the road from Resaca will be shorter than the English line, that the route presents no alarming difficulties, and that the Serra do Mar will be surmounted by traction. He also denies that the concession is an infringement of the English company's privilege. We should like to see the figures resulting from the definite survey. We do not deny the possibility of constructing this line, but if the English company will increase its tracks, we do not see the necessity of expending the money.

August 20th. 1892

BANKS

Capital	Capital paid up	Reserve fund	Name	Dividend paid	Nom. value	Last sale	Closing quotation
10,000,000\$	4,000,000\$	164,250\$	RIO DE JANEIRO				
1,000,000	475,000	34,000	Agriculto do Brazil.....	3\$200—July 91	80\$	37\$000	—
			Alfama do Brazil.....	5,250—July 91	100		

DE JANNIRO

[illegible]

HYPOTHECARY NOTES

<i>Present Amount</i>	<i>Interest payable</i>	<i>Rate of</i>	<i>Banks</i>	<i>Nominal value</i>	<i>Exit rate</i>	<i>Closing quotations</i>
\$ 897,000	Jan. - July	6	Credito Real do Brazil....	100\$	90%	58 00 - - - -
7,939,300	Apr. - Oct.	6	Real do Brazil.....	100\$	100 00	100 00 - - - -
7,790,800		6	Credito Real de S. Paulo....	100\$	90%	100 00 - - - -
8,000		6	Credito Real e Uniao.....	100	90%	100 00 - - - -
		6	Rep. dos Estados Unidos.....	100	80%	82 50 - - - -
	May - Nov.	6	Real do Brazil.....	100	90%	100 00 - - - -
500,000		6	Uniao Agricola do Brazil.....	100	75%	75 50 - 80 00
839,400	Jan. - Jul.	6	Uniao Agricola do Brazil.....	100	75%	75 50 - 80 00

MILLS

<i>Capital paid up</i>	<i>Revenue paid</i>	<i>Companies</i>	<i>Dividend paid</i>	<i>Nominal rate</i>	<i>Last rate</i>	<i>Closing quotations</i>
100,000,000	2,400,000	Albany	12 1/2 000—July 92	200	300 1/2 000	— 350 1/2 000
100,000,000	400,000	Hon Fm .....	.....	200	270 000	.....
100,000,000	61,222 1/2	Home Industrial	1 1/2 000—July 92	200	211 000	200 1/2 000—
100,000,000	360	Metall	8 000—Aug 90	250	205 000	.....
100,000,000	1,000,000	Canong	12 000—July 92	200	280 000	.....
100,000,000	169,953	Confiance	12 000—July 92	200	190 000	.....
100,000,000	20,000	Confiance Industrial	1 1/2 000—July 92	140	125 000	.....
100,000,000	419 1/2	Comet	3 000—July 91	200	2 1/2 000	.....
100,000,000	650,000	do 1 serie .....	.....	140	150 000	.....
100,000,000	250,000	D. bank .....	.....	200	200 000	.....
100,000,000	30,000	Industrial Bank .....	.....	140	45 000	.....
100,000,000	150,000	Industrial de Gm Paris .....	.....	200	200 000	.....
100,000,000	400,000	P&C Trans .....	.....	140	45 000	.....

MISCELLANEOUS

Atal	Capital put up	Reserve fund	Companies	Dividend paid	Nonvoting native	Lost	Closing quotations
1,000	7,400,000	..	Agrícola do Paranaapanema	38000 - July 91	60	604,000	
1,000	2,400,000	..	Agrícola do Rio de Janeiro	10 " Jan. 91	60		
1,000	4,000,000	..	de Cultivo de Vassouras		200	198 000	
1,000	7,000,000	..	Café e Viagem Fluminense	4 000 - July 91	100		
400	750,000	29,000	Camaguey Phosphores	10 000 - July 91	100		—110 000
1,000	4,000,000	36 000	Casa Brasileira	10 000 - Aug. 91	80	215 000	
1,000	730,000	1,000	Companhias e Estação de Café	10 000 - Jan. 91	80	13 000	— 18 300
1,000	60,000,000	..	de Empaz de Olhos Piquetes	15 " Jan. 91	200	18 000	
1,000	4,000,000	..	Estação Fluminense	7 800 - July 91	40	15 000	— 10 000
1,000	..	..	Ind. e Colonizador do Br.		60	38000	
1,000	3,000,000,000	..	Melhoramentos no Brazil	3 000 - July 91	200	40 000	38 000
1,000	14,000,000	..	do de	101 Jan. 91	100	20 000	
1,000	3,000,000	..	do de S. Paulo		200	65 000	
1,000	4,000,000	..	Metropolitana		40	60 000	
1,000	2,500,000	11,89	Nacional de Fios e Est.		100	25 000	
1,000	1,200,000	..	Nacional de Olos	5 000 - Jan. 91	70	35 000	
1,000	8,750,000	..	Nova Real Baril	3 000 - July 91	70	8 000	
1,000	20,000,000	..	Oslo Hydraulica do Brazil		10	38 000	
1,000	2,500,000	21,805	Suaveamento do Rio	10 000 - July 91	80	47 000	
1,000	4,400,000	..	Servico Maritimo	131 1/2 - July 91	100		
1,000	3,000,000	34,571	Torres Barreira	5 000 - July 91	80	47 000	45 0000 50 000
1,000	20,000,000	..	União Real Est. de Br.		60		

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Sept. 2	Fagus	Montevideo and Buenos Aires.
" 5	Thames	Bahia, Pernambuco, S. Vicente, Lisboa, Vigo, Southampton and Antwerp.

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349, Rua dos Audaciosos

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